

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA )

v. )

ZACKARY ELLIS SANDERS, )

*Defendant.* )

Case No. 1:20-MJ-114

**UNDER SEAL**

**AFFIDAVIT IN SUPPORT OF A  
CRIMINAL COMPLAINT AND AN ARREST WARRANT**

I, Jeremy Obie, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION**

1. I have been employed as a Special Agent by the Federal Bureau of Investigation ("FBI") since March 2016, and I am currently assigned to the FBI Washington Field Office's Child Exploitation and Human Trafficking Taskforce. While employed by the FBI, I have investigated federal criminal violations related to counterterrorism, violent crime, high technology or cyber-crime, missing persons, child exploitation, and child pornography. I have gained experience in these violations by conducting investigations into the sexual exploitation of children, as well as the distribution and receipt of child pornography. I have received training in the area of child pornography and child exploitation. Additionally, I have investigated and assisted in the investigation of criminal matters involving: the sex trafficking of children, in violation of 18 U.S.C. § 1591; and the sexual exploitation of children, in violation of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422. Moreover, I am a federal law enforcement officer authorized by the Attorney General to enforce violations of the laws of the United States, including but not limited to 18 U.S.C. §§ 1591, 2251, 2252, 2252A, 2422, and 2423. Prior to this assignment, I worked for the

Department of Defense as an Electrical Engineer. I have a Bachelor's of Science and a Master's of Science in Electrical Engineering.

2. The statements contained in this affidavit are based in part on information provided by U.S. federal law enforcement agents; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent investigation and analysis by law enforcement agents/analysts and computer forensic professionals; and my experience, training, and background as a Special Agent. This affidavit contains information necessary to support probable cause for this application. Because this affidavit is being submitted for the limited purpose of establishing probable cause for this application, I have not included every detail known to the government. Rather, I have set forth only those facts that I believe are necessary to establish probable cause.

3. I submit this affidavit in support of a criminal complaint and arrest warrant charging ZACKARY ELLIS SANDERS ("SANDERS"), of McLean, Virginia, which is within the Eastern District of Virginia, with the production of child pornography, in violation of 18 U.S.C. § 2251(a) and (e). For the reasons set forth below, I submit that probable cause exists to believe that in at least or about November 2019, SANDERS knowingly employed, used, persuaded, induced, enticed, or coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, or attempted to do so, and the visual depiction was transported or transmitted using any means or facility of interstate or foreign commerce.

#### **STATUTORY AUTHORITY AND DEFINITIONS**

4. Title 18, U.S. Code, Section 2251(a) prohibits a person from employing, using, persuading, inducing, enticing, or coercing any minor to engage in any sexually explicit conduct

for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce.

5. The term “minor,” as defined in 18 U.S.C. § 2256(1), means any person under the age of 18 years.

6. The term “sexually explicit conduct,” as defined in 18 U.S.C. § 2256(2)(A)(i)–(v), means actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, anal genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the genitals or pubic area of any person.

7. The term “visual depiction,” as defined in 18 U.S.C. § 2256(5), includes undeveloped film and videotape, data stored on computer disc or other electronic means which is capable of conversion into a visual image, and data that is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format.

8. The term “child pornography,” as defined in 18 U.S.C. § 2256(8), is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where (a) the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct, (b) the visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaged in



sexually explicit conduct, or (c) the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct.

#### **SUMMARY OF PROBABLE CAUSE**

9. The FBI, in conjunction with other law enforcement entities, is investigating websites on which visitors can access and view child sexual abuse material. Through this investigation, the FBI received information that on or about May 23, 2019, an individual connected to the internet through a specific Internet Protocol (“IP”) address<sup>1</sup> and accessed a website that is known to law enforcement to advertise child pornography. Law enforcement determined through publicly available information that this IP address was issued by Cox Communications. Records obtained from Cox Communications revealed that, on or about May 23, 2019, this IP address was assigned to a relative of SANDERS at a residential address in McLean, Virginia, (the “SUBJECT PREMISES”).

10. On or about February 12, 2020, law enforcement agents executed a federal search warrant, which had been issued by the U.S. District Court for the Eastern District of Virginia, to search the SUBJECT PREMISES for child-pornography-related evidence. During the search of the SUBJECT PREMISES, law enforcement determined that its only occupants were SANDERS and his parents.

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<sup>1</sup> Based on my training and experience, I know that an “Internet Protocol address” is a unique numeric or alphanumeric string used by a computer or other digital device to access the internet. Every computer or device accessing the internet must be assigned an IP address so that internet traffic sent from and directed to that computer or device may be directed properly from its source to its destination. Most Internet Service Providers (“ISPs”) control a range of IP addresses. ISPs typically maintain logs of the subscribers to whom IP addresses are assigned on particular dates and times.

11. SANDERS voluntarily agreed to be interviewed by law enforcement during the search of the SUBJECT PREMISES. In this interview, SANDERS admitted to law enforcement that he accessed and received child pornography through websites on the Tor network.<sup>2</sup> SANDERS also stated that he transferred child-pornography material that he downloaded over the internet from his laptop to external media storage devices.

12. Law enforcement seized a number of electronic devices from the SUBJECT PREMISES pursuant to the search warrant, including an Apple iPhone from SANDERS's person and multiple electronic devices from SANDERS's bedroom in the residence. The devices seized from SANDERS's bedroom include several thumb drives, an Apple iPad, and an HP laptop.

13. Law enforcement personnel conducted a forensic examination of the seized devices. The forensic examination of the Apple iPad uncovered personal and professional documents and communications indicating that the device belonged to SANDERS. Additionally, the forensic examination uncovered numerous conversations on Kik Messenger ("Kik"), a mobile messaging application,<sup>3</sup> in which SANDERS, using the Kik username "DCSir" with a display name that includes the phrase "Sir Zack," knowingly persuaded and attempted to persuade purported minors to produce images and videos of themselves engaging in sexually explicit conduct and to send those images and videos to SANDERS over the internet.

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<sup>2</sup> Based on my training and experience, I know that the "Tor network" is a computer network available to internet users that is designed specifically to facilitate anonymous communication over the internet.

<sup>3</sup> Based on my training and experience, I know that Kik Messenger is a mobile application designed for chatting or messaging. To use this application, a user downloads the application to a mobile phone or digital device via a service such as the iOS App Store or Apple iTunes. Once the application is installed, a user is prompted to create an account and username, as well as a display name that is seen by other users when transmitting messages back and forth.

14. Specifically, after learning that SANDERS's iPad had been used to communicate with others on Kik using the Kik username DCSir, I conducted a search of the internet for information related to the DCSir account and discovered multiple similar postings on an online "sexting" forum made on various dates in 2018 and 2019 in which the individual who wrote the posting stated that he was looking for "boys" and advertised the Kik username DCSir. For example, in a posting dated February 3, 2019, an individual wrote the following:

Dominant Sir looking for boys who are in Virginia, Washington DC, Maryland, or New York City to meet. I expect you to do as you're told, be obedient, and respectful. Open to one-time meets, but would prefer a boy who truly desires to become my sub or slave long-term, eventually being collared and owned permanently.

For those elsewhere in the country/world other than the areas I've listed, I'm looking for boys who want to be blackmailed. This will be real, not a game. Make sure you understand this before messaging. Send a full body nude photo of yourself, as well as your age and where you are from.

Kik: DCSir

15. The forensic examination of SANDERS's iPad revealed that, on or about November 10, 2019, a Kik user ("MINOR-1")<sup>4</sup> contacted SANDERS on his DCSir Kik account and said "Hello sir zack," "I am 14 m uk". Based on my training and experience, I know that MINOR-1's statement was intended to convey that he was a 14-year-old male from the United Kingdom. In response, SANDERS asked MINOR-1 to send him "a live full body pic". MINOR-1 then sent SANDERS an image that MINOR-1 appears to have taken of himself and that depicts an approximately 14-year-old boy, who is standing fully nude and posing to expose his penis. SANDERS asked MINOR-1 how MINOR-1 found him, and MINOR-1 responded that he found

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<sup>4</sup> This Kik user's username and display name are known to law enforcement but are not included here to protect victim privacy. See 18 U.S.C. § 3509.



SANDERS's Kik information on an online forum that MINOR-1 referred to as the "[s]ex chat" forum.

16. SANDERS then had the following exchange with MINOR-1:<sup>5</sup>

SANDERS: Okay. Before we begin, are you sure you fully read, understand, and accept what was written in the post on that site?

MINOR-1: Yes sir

SANDERS: Good. You are to record a video. You will show me your entire body, state your full name, and tell me both why you want to become a slave and why you feel you would be a good slave.

MINOR-1: Can I message u it i'm at my nans atm

SANDERS: When would you be home and able to record the video?

SANDERS: ?

MINOR-1: tomorrow sir?

SANDERS: Alright. Send me the video tomorrow. We will talk and begin once I have received the video.

MINOR-1: okay sir

SANDERS: Do not forget.

MINOR-1: sir what does this training entail

SANDERS: What is it that you're worried about?

MINOR-1: Nothing i just want to know like what ima do

SANDERS: Okay. Once you send me the video I will answer that. I don't want my answer to that question to influence what you say in the video. So once you do that, I'll answer your question.

...

MINOR-1: if i send u a vid of me naked and then i message why i want to be ur slave

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<sup>5</sup> All text abbreviations and typographical errors included in the excerpted text language are original.

MINOR-1: does that work

SANDERS: Why don't you want to talk?

MINOR-1: Because my nan may hear

MINOR-1: sir?

MINOR-1: Can i just send u some pics and tell u why i won't let u down master

MINOR-1: and i'll do anything for u

MINOR-1: ...

SANDERS: I want you to speak, so either go to a room where she won't hear, or send it tomorrow.

17. The following day, on or about November 11, 2019, MINOR-1 sent SANDERS a video depicting what appears to be a nude, young male from below the chest, fully exposing his penis and testicles while manipulating his penis in his hand. An individual can be heard in the video identifying himself by name. SANDERS told MINOR-1 to send another video where SANDERS can see MINOR-1's full body, including his "face, ass, everything". MINOR-1 then sent SANDERS a 14-second video depicting what appears to be the same minor male depicted in the image that MINOR-1 sent the day before, fully nude. In the video, the minor sets the video recording device down, takes a few steps back, and then turns in a circle, pausing at each 90-degree interval so that his penis and buttocks are fully exposed.

18. In response, SANDERS told MINOR-1: "You're a cute little faggot. You will always do as I say. From this point forward I am going to train you. You will learn to become a perfect slave. As soon as you are old enough you will come here and permanently serve me as my slave." When MINOR-1 asked SANDERS what he will do in his training, SANDERS replied:

And you will be taught how I expect you to act, speak, look, dress. You will be given tasks, assignments, orders, and punishments all to prepare both your mind



and your body. You will learn you are my property, that you belong to me, and that your sole purpose is to serve me.

19. After MINOR-1 informed SANDERS that his birthday had recently passed, SANDERS and MINOR-1 had the following exchange:

SANDERS: So you just turned 14 then? And I just wanted to know when you might be able to come here.

MINOR-1: ye

SANDERS: Oh you are young. Okay. I want you to shave your entire body, except for your head.

MINOR-1: I've never shaved

SANDERS: I can see that.

MINOR-1: dunno how to

MINOR-1: i'm dumb

SANDERS: I'm sure you can figure it out.

MINOR-1: Do i ahev to shave master

SANDERS: Yes.

MINOR-1: what if i don't

MINOR-1: what is the punishment

MINOR-1: ?

SANDERS: If you don't do something when I tell you to you'll be punished but you'll still have to do it...

SANDERS: You need to answer me boy.

MINOR-1: Okay

MINOR-1: but i don't wnat to shave

MINOR-1: sur

SANDERS: I don't care. It's not all about what you want.

MINOR-1: Yes sir

SANDERS: Now you're going to shave, and then we'll discuss your punishment for not doing what I said the first few times I told you.

MINOR-1: okay sir

MINOR-1: but my mum doesn't want me to shave

MINOR-1: what do i do

SANDERS: What did she say? Why did you even talk to her about it?

MINOR-1: I didn't

MINOR-1: she doesn't want me to shave until i'm older

SANDERS: How do you know?

MINOR-1: she's told me

MINOR-1: do all my pubes all have to be gone

SANDERS: Yes.

MINOR-1: Please sir

MINOR-1: i don't want to

MINOR-1: shave

MINOR-1: Anything else

MINOR-1: I'll do anything else

MINOR-1: Litter play anything u desire

MINOR-1: literally

MINOR-1: Please sir

MINOR-1: ?

MINOR-1: I want this i just can't shave yet

MINOR-1: master?

SANDERS: No. And every time I have to tell you again the punishment is getting worse.

20. On or about November 14, 2019, after agreeing to shave, MINOR-1 sent SANDERS an image focused on what appears to be his erect penis with his pubic hair partially shaven off. In response, SANDERS wrote "I'm sure you can get a little more." MINOR-1 then sent SANDERS a different image focused on what appears to be his erect penis with his pubic hair partially shaven off. After receiving this image, SANDERS wrote "Better, but you still need to do a little more" and "Make it so I can't see any hair." MINOR-1 then sent SANDERS an image focused on what appears to be his erect penis with his pubic hair completely shaven off. In response, SANDERS wrote "Okay, now send me a full body pic," and MINOR-1 then sent SANDERS an image of the same fully nude male described above with his erect penis exposed.

21. After receiving the "full body pic," SANDERS sent MINOR-1 the following message: "Good boy. Now for your punishment. You're going to slap yourself on your balls as hard as you can 40 times. You will record yourself doing this and then send me the video." MINOR-1 then sent SANDERS a 49-second video of what appears to be the same fully nude minor boy clutching his penis with one hand to expose his testicles and slapping his testicles with the other hand approximately 40 times while wincing at various points. After sending the video, MINOR-1 wrote "that's hurt". SANDERS replied "Good. Now if you ever disobey me again the punishment will be worse next time."

22. The forensic examination of SANDERS's iPad uncovered other sexually explicit chats from in or around October 2019 to in or around February 10, 2020, that SANDERS had on Kik with individuals who identified themselves as minors, including chats where SANDERS instructed the purported minors to send nude images or videos of themselves. A forensic



examination of the Apple iPhone seized from SANDERS's person during the search of the SUBJECT PREMISES similarly uncovered online chats from various mobile messaging platforms in which SANDERS appears to have asked purported minors in the Virginia area and elsewhere to take and send him nude images and videos of themselves, including at least one other chat from in which SANDERS instructed an individual who identified himself as a minor to take and send SANDERS a video of the purported minor repeatedly slapping his testicles as punishment.

23. A forensic examination of the HP laptop seized from SANDERS's bedroom in the SUBJECT PREMISES uncovered multiple videos and images depicting minors engaged in sexually explicit conduct. For example, law enforcement found an approximately 19-minute video on the laptop that is a compilation of footage depicting what appears to be multiple adult men engaging in oral and anal sex with the same approximately 11-year-old boy, and at one point whipping the nude child with what appears to be a belt. At various points in the footage, the minor has his limbs bound with rope, is gagged with a cloth, and/or has a rope tied around his neck.

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**CONCLUSION**

24. Based on the foregoing, I submit that there is probable cause to believe that in at least or about November 2019, ZACKARY ELLIS SANDERS, of McLean, Virginia, knowingly produced and attempted to produce child pornography, in violation of 18 U.S.C. § 2251(a) and (e), and respectfully request that a criminal complaint and arrest warrant be issued for SANDERS.

Respectfully submitted,

  
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Jeremy Obie, Special Agent  
Federal Bureau of Investigation

Sworn and subscribed to by telephone  
this 19th day of March, 2020.

  
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The Honorable Ivan D. Davis  
United States Magistrate Judge